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M/V STADT FREIBURG and Defendant and
Cross-Defendant MS STADT FREIBURG T&H
SCHIFFAHRTS GMBH & CO KG

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LG ELECTRONICS U.S.A., INC. and LG) Case No. 2:14-cv-02559-SJO-AS
ELECTRONICS, INC.,)

Plaintiffs,) **IN ADMIRALTY**

vs.)

M/V STADT FREIBURG, its engines,) **STIPULATION FOR DISMISSAL OF**
tackle and apparel, in rem; MS STADT) **FIRST AMENDED COMPLAINT**
FREIBURG T&H SCHIFFAHRTS) **WITH PREJUDICE AND FOR**
GMBH & CO KG, in personam; HANJIN) **DISMISSAL OF FIRST AMENDED**
SHIPPING CO., LTD., in personam;) **CROSS-CLAIM WITHOUT**
EVERGREEN MARINE CORP., in) **PREJUDICE**
personam; GREENCOMPASS MARINE)
S.A., in personam; EVERGREEN LINE)
JOINT SERVICE AGREEMENT, in)
personam; and EVERGREEN MARINE)
CORPORATION (TAIWAN) LTD., in)
personam; and DOES 1 to 20 inclusive, in)
personam,)

Defendants.)

1 HANJIN SHIPPING CO., LTD.,)
 2)
 3 Cross-Claimant,)
 4)
 5 vs.)
 6)
 7 MS STADT FREIBURG T&H)
 8 SCHIFFAHRTS GMBH & CO KG, *in*)
 9 *personam*; GREENCOMPASS MARINE)
 10 *S.A., in personam*, EVERGREEN LINE)
 11 JOINT SERVICE AGREEMENT, *in*)
 12 *personam*; and EVERGREEN MARINE)
 13 CORPORATION (TAIWAN) LTD., *in*)
 14 *personam*;)
 15 Cross-Defendants.)
 16)

17 WHEREAS, on January 30, 2014, a Complaint was filed by Plaintiffs LG
 18 ELECTRONICS U.S.A., INC. and LG ELECTRONICS, INC. (collectively “LG”) in
 19 the United States District Court for the Northern District of California, Case No. 2:14-
 20 CV-2559-SJO(ASx) , entitled *LG ELECTRONICS U.S.A., INC. and LG*
 21 *ELECTRONICS, INC. v. M/V STADT FREIBURG, its engines, tackle and apparel, in*
 22 *rem; MS STADT FREIBURG T&H SCHIFFAHRTS GMBH & CO KG, in personam*
 23 (collectively “Owners”); *HANJIN SHIPPING CO., LTD., in personam* (“Hanjin”);
 24 *EVERGREEN MARINE CORP., in personam*; which was subsequently transferred to
 25 the United States District Court for the Central District of California, (hereinafter
 26 referred to as the “Action”);

27 WHEREAS, on April 14, 2014 Hanjin filed a Cross-Claim against Owners
 28 and Greencompass Marine S.A. in the Action (the “Cross-Claim”).

29 WHEREAS, on June 6, 2014, LG filed a First Amended Complaint adding
 30 GREENCOMPASS MARINE S.A., *in personam*; EVERGREEN LINE JOINT
 31 SERVICE AGREEMENT, *in personam*; and EVERGREEN MARINE
 32 CORPORATION (TAIWAN) LTD., *in personam*; and DOES 1 to 20 inclusive, *in*
 33 *personam*, as defendants to the Action (collectively “the Defendants”). The Defendants
 34 filed responses to LG’s First Amended Complaint.

1 WHEREAS, on July 1, 2014, Hanjin filed a First Amended Cross-Claim
2 adding EVERGREEN LINE JOINT SERVICE AGREEMENT, in personam; and
3 EVERGREEN MARINE CORPORATION (TAIWAN) LTD., in personam; and DOES
4 1 to 20 inclusive, in personam, as cross-defendants to the Cross-Claim (collectively
5 “the Cross-Defendants”).

6 WHEREAS, LG and all the Defendants have now settled the Action and,
7 as such, LG wishes to now dismiss its First Amended Complaint with prejudice, in its
8 entirety, and Hanjin wishes to now dismiss its First Amended Cross-Claim without
9 prejudice, in its entirety.

10 NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED AS
11 FOLLOWS:

12 1. LG dismisses its First Amended Complaint in this Action in its
13 entirety, with prejudice, against all Defendants pursuant to Federal Rule of Civil
14 Procedure 41(a)(2).

15 2. Hanjin dismisses its First Amended Cross-Claim in this Action in its
16 entirety, without prejudice, against all Cross-Defendants pursuant to Federal Rule of
17 Civil Procedure 41(a)(2) and (c).

18 3. Each party is to bear its own attorneys’ fees and costs of this Action.

19 **IT IS SO STIPULATED.**

20
21
22 DATED: December 30, 2014

/s/ JAMES A. MARISSEN _____
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JAMES A. MARISSEN
CHRISTOPHER R. FARNSWORTH,
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Attorneys for Defendant
M/V STADT FREIBURG and Defendant and
Cross-Defendant MS STADT FREIBURG
T&H SCHIFFAHRTS GMBH & CO KG

1 DATED: December 30, 2014

/s/ JENNIFER T. SANCHEZU

JOSHUA E. KIRSCH
JENNIFER T. SANCHEZ,
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Attorneys for Plaintiffs
LG ELECTRONICS, U.S.A., INC. and LG
ELECTRONICS, INC.

8 DATED: December 30, 2014

/s/ ALAN NAKAZAWA

ALAN NAKAZAWA
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Defendants
GREENCOMPASS MARINE S.A.,
EVERGREEN LINE JOINT SERVICE
AGREEMENT, and EVERGREEN MARINE
CORPORATION (TAIWAN) LTD.

16 DATED: DECEMBER 30, 2014

/S/ MICHAEL L. SWAIN

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